

Case No. 5:09-CV-1122
Gwin, J.

United States v. Walters, 638 F.2d 947, 949-50 (6th Cir. 1981). Absent objection, a district court may adopt the magistrate judge's report without review. See *Thomas*, 474 U.S. at 149. Moreover, having conducted its own review of the this case, the Court agrees with the conclusions of Magistrate Judge Baughman.

The Court therefore **ADOPTS** the report and recommendation of the Magistrate Judge and **GRANTS** the Plaintiff's motion to dismiss. [Doc. 12.]

IT IS SO ORDERED.

Dated: October 20, 2009

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE